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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 OCT 13 A 9:45

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
Q MOUNTAIN MOBILE HOME PARK FOR
AN EMERGENCY RATE INCREASE.

DOCKET NO. W-02518A-09-0076

**STAFF RESPONSE TO MOTION TO
DISMISS APPLICATION**

The Arizona Corporation Commission ("Commission"), Utilities Division Staff ("Staff") hereby responds to Q Mountain Water, Inc.'s ("Q Mountain" or "Company") motion to dismiss the emergency rate application. Staff does not oppose the Company's motion to dismiss. However because of issues raised in this docket and in customer complaints, Staff has concerns that it would like to investigate in the context of a full rate case. Therefore, Staff requests that the Company be ordered to file a general rate case by May 31, 2010, using a January 2009 through December 2009 test year. In addition to the usual rate application filing requirements, Staff asks that the Company be ordered to submit an accounting of any Hook Up Fees or capacity charges that were not authorized by the Commission, but were collected from the Company's customers. Such accounting should include, at a minimum, the name of the customer, the date and the amount collected, the date and the amount of any refund, and whether or not interest was paid.

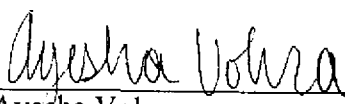
RESPECTFULLY SUBMITTED this 13th day of October, 2009.

Arizona Corporation Commission

DOCKETED

OCT 13 2009

DOCKETED BY


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1 Original and thirteen (13) copies
2 of the foregoing were filed this
13th day of October, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
1200 West Washington Street
5 Phoenix, Arizona 85007

6 Copy of the foregoing mailed this
7 13th day of October, 2009 to:

8 Robert A. Kelley, Jr., President
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